

House Bill 546

By: Representatives Buckner of the 130<sup>th</sup> and Thomas of the 100<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 1 of Chapter 9 of Title 12 of the Official Code of Georgia Annotated,  
2 relating to air quality, so as to change certain provisions relating to permit requirements,  
3 applications, issuance, revocation, suspension, or amendment; to provide an effective date;  
4 to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Article 1 of Chapter 9 of Title 12 of the Official Code of Georgia Annotated, relating to air  
8 quality, is amended in Code Section 12-9-7, relating to permit requirements, applications,  
9 issuance, revocation, suspension, or amendment, by adding a new subsection to read as  
10 follows:

11 "(k)(1) This subsection shall apply only to coal-fired electrical generating facilities  
12 operated by utilities not subject to regulation by the Public Service Commission under  
13 Title 46.

14 (2) No permit shall be issued for any new coal-fired electrical generating facility  
15 pursuant to any permit application filed on or after the effective date of this subsection.

16 (3) Any permit issued pursuant to application filed prior to the effective date of this  
17 subsection for any new coal-fired electrical generating facility for which a construction  
18 contract has not been entered into prior to the effective date of this subsection shall be  
19 suspended by the director pursuant to subsection (e) of this Code section for cause of  
20 protecting air quality in this state from further deterioration by new coal-fired electrical  
21 generating facilities from which the residents of this state will receive no benefit in the  
22 form of electricity sold to consumers in this state.

23 (4) This subsection shall stand repealed on July 1 of the third calendar year after the year  
24 in which this subsection becomes effective. Permit suspensions pursuant to paragraph  
25 (3) of this subsection shall remain in effect until such date. During the period in which  
26 this subsection is effective, the director shall exercise those powers granted under

1 paragraph (2) of subsection (b) of Code Section 12-9-6 with respect to emissions from  
2 coal-fired electrical generating facilities."

3 **SECTION 2.**

4 This Act shall become effective upon its approval by the Governor or upon its becoming law  
5 without such approval.

6 **SECTION 3.**

7 All laws and parts of laws in conflict with this Act are repealed.